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**Promotion and protection of human rights**

# Implementation of human rights instruments

## Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Chairs of the human rights treaty bodies on their twenty-seventh meeting, held in San José from 22 to 26 June 2015, pursuant to Assembly resolution 57/202.

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# Report of the Chairs of the human rights treaty bodies on their twenty-seventh meeting

*Summary*

The General Assembly, in its resolution 57/202, requested the Secretary-General to submit to the Assembly the reports of the Chairs of the human rights treaty bodies on their periodic meetings, convened annually pursuant to Assembly resolution 49/178. The present document contains the report of the twenty-seventh meeting of the Chairs of the treaty bodies, which was held from 22 to 26 June 2015. The meeting convened in San José to bring the treaty body system closer to the level at which international human rights treaties and treaty body recommendations are implemented, to enhance the cooperation between the international and regional human rights protection systems and to engage with States, national human rights institutions and civil society in the Americas. The Chairs also considered the implementation of Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, as well as follow-up to the recommendations made at their twenty-sixth meeting. They further endorsed guidelines against intimidation or reprisals. The Chairs' decisions and recommendations are contained in section VII of the present report.

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# I. Introduction

1. The twenty-seventh meeting of the Chairs of the human rights treaty bodies was held in San José from 22 to 26 June 2015. The meeting of Chairs is a forum for the Chairs of treaty bodies to maintain communication and dialogue with each other on common issues and problems, first called for by the General Assembly in 1983 in its resolution 38/117. The Assembly, in its resolution 57/202, requested the Secretary-General to submit to the Assembly the reports of the Chairs of the human rights treaty bodies on their periodic meetings. In its resolution 68/268, paragraph 38, the Assembly further encouraged the human rights treaty bodies, with a view to accelerating the harmonization of the treaty body system, to continue to enhance the role of their Chairs in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods and procedural matters, promptly generalizing good practices and methodologies among all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.

2. The Chairs' meetings, convened annually pursuant to General Assembly resolution 49/178, are usually held in Geneva. The objectives of holding meetings in the regions are (a) to bring the treaty body Chairs closer to the level at which the international human rights treaties and recommendations of the treaty bodies are implemented; (b) to strengthen cooperation, complementarity and synergies between international and regional human rights mechanisms, institutions and stakeholders; and (c) to enhance the accessibility and visibility of the treaty bodies, particularly through meetings with national human rights institutions and civil society organizations. Previously, Chairs' meetings have been organized in Brussels (2011) and Addis Ababa (2012).

3. The following official documents served as background for the meeting:

(a) Provisional agenda and annotations (HRI/MC/2015/1);

(b) Note by the Secretariat on implementation by treaty bodies of the conclusions and recommendations of the treaty body Chairpersons at their twenty-sixth meeting in the framework of General Assembly resolution 68/268 (HRI/MC/2015/2);

(c) Note by the Secretariat on reprisals in the context of United Nations human rights mechanisms (HRI/MC/2015/3);

(d) Note by the Secretariat on the consultation process for the elaboration of treaty body general comments (HRI/MC/2015/4);

(e) Note by the Secretariat on timely, late and non-reporting by States parties to the human rights treaty bodies (HRI/MC/2015/5).

4. The twenty-seventh annual meeting followed an informal consultation among the treaty body Chairs organized and hosted in January 2015 by the Chair of the twenty-sixth annual meeting, Malcolm Evans, in Wilton Park, United Kingdom of Great Britain and Northern Ireland. At that meeting, the Chairs adopted a joint statement on human rights and the post-2015 development agenda (see annex I) and a joint statement on human rights against violence (available from ohchr.org/EN/HRBodies/AnnualMeeting/Pages/MeetingChairpersons.aspx). At the twenty-seventh annual meeting, the Chairs had before them draft guidelines on

reprisals that were prepared upon their request and followed detailed guidance provided during the informal meeting of January 2015.

## II. Organization of the meeting

5. The meeting was attended by the following Chairs: José Francisco Cali Tzay, Committee on the Elimination of Racial Discrimination; Waleed Sadi, Committee on Economic, Social and Cultural Rights; Fabian Salvioli, Human Rights Committee; Yoko Hayashi, Committee on the Elimination of Discrimination against Women; Benyam Dawit Mezmur, Committee on the Rights of the Child; Francisco Carrión Mena, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; Claudio Grossman, Committee against Torture; Malcolm Evans, Subcommittee on Prevention of Torture; María Soledad Cisternas Reyes, Committee on the Rights of Persons with Disabilities; and Emmanuel Decaux, Committee on Enforced Disappearances.

6. The meeting commenced with a public opening ceremony during which the Minister for Foreign Affairs and Worship of Costa Rica, Manuel A. González Sanz, addressed the Chairs. The Chair of the Subcommittee on Prevention of Torture spoke in his capacity as Chair of the twenty-sixth meeting of treaty body Chairs. Other speakers at the opening ceremony included Mr. Grossman, in his capacity as President of the Inter-American Institute of Human Rights; Yoriko Yasukawa, United Nations Resident Coordinator in Costa Rica; Ambassador Yasmine Chatila Zwahlen of Switzerland, as host country of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the international human rights treaty body system; and Carmen Rosa Villa Quintana, Regional Representative for Central America of OHCHR.

7. Following the ceremony, Ibrahim Salama, Director of the Human Rights Treaties Division of OHCHR, thanked Mr. Evans, the Chair of the twenty-sixth annual meeting of Chairs, on behalf of the High Commissioner for his leadership over the past 12 months. He expressed the hope that the Chairs would again lead the way in ensuring adequate follow-up by the treaty bodies to General Assembly resolution 68/268.

8. Referring to the list of former Chairs and Vice Chairs of the Chairs' meetings provided to participants, the Director then proceeded with the election of officers. Based on the principle of rotation, Mr. Decaux, Chair of the Committee on Enforced Disappearances, was elected Chair-Rapporteur of the twenty-seventh meeting and Mr. Salvioli, Chair of the Human Rights Committee, was elected Vice-Chair, both by acclamation.

9. In his opening statement, the incoming Chair of the twenty-seventh meeting warmly thanked Mr. Grossman, President of the Inter-American Institute for Human Rights and Chair of the Committee against Torture, for inviting the annual meeting to the Americas, a region of pioneering human rights work and home to the Inter-American Commission and Court of Human Rights and to five treaty body Chairs. He also welcomed the four newly appointed Chairs to their first meeting of treaty body Chairs. He praised the outgoing Chair for having organized the informal consultation among Chairs in Wilton Park, United Kingdom, in January 2015. That meeting had allowed the Chairs to assess progress made by the treaty bodies in

following up on General Assembly resolution 68/268 and to prepare work for the guidelines against intimidation or reprisals.

10. The Chair then recalled how the Chairs' active involvement had influenced the outcome of the treaty body strengthening process in very concrete ways. The meeting of the Chairs of treaty bodies was not merely a matter of protocol, but constituted a strong aspect of synergy between the treaty bodies. As *primi inter pares*, the Chairs had endorsed important policy decisions, which had been taken up by the different treaty bodies, taking into account their own specificities and procedures. That coordination had become all the more necessary as the treaty body system had grown exponentially. Therefore, the Chair pledged to deepen the spirit of collective commitment and leadership that had characterized the Chairs' meetings in previous years.

11. Following the adoption of the provisional agenda and annotations (HRI/MC/2015/1) and the programme of work, the Chair of the twenty-sixth meeting made a brief statement.

12. Welcoming the treaty bodies' focus on immediate follow-up to General Assembly resolution 68/268, the Chair of the twenty-sixth meeting cautioned that the growth of the treaty body system, with more reports, individual communications and inquiries, would inevitably cause major challenges. That, and the 2020 review foreseen in resolution 68/268, called for a profound reflection by all on the future of the treaty body system. The Chair of the twenty-seventh meeting added that the treaty body system was in a dynamic period in which the meeting of Chairs should play a leading role to strengthen the coherence and effectiveness of the overall system, if only to anticipate the deadlines set by resolution 68/268.

# III. Follow-up to General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system and to the conclusions and recommendations of the twenty-sixth meeting of Chairs

## A. General discussion

13. The meeting had before it the note by the Secretariat on implementation by treaty bodies of the conclusions and recommendations of the treaty body chairpersons at their twenty-sixth meeting in the framework of General Assembly resolution 68/268 (HRI/MC/2015/2).

14. The Chair of the meeting recalled that, in its resolution 68/268, paragraph 38, the General Assembly encouraged the human rights treaty bodies, with a view to accelerating the harmonization of the treaty body system, to continue to enhance the role of their Chairs in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods and procedural matters, promptly generalizing good practices and methodologies among all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.

15. The Chairs discussed the impact of General Assembly resolution 68/268 on their respective treaty bodies and the follow-up by treaty bodies to

recommendations made by the Chairs at their twenty-sixth meeting regarding the simplified reporting procedure, the constructive dialogue and the concluding observations. Underscoring the importance of adequate and prompt follow-up by treaty bodies to resolution 68/268, the Chairs also noted that treaty bodies derived their legal basis and mandate directly from the human rights treaties and their States parties. Several Chairs underlined the importance of exchanging best practices with a view to reinforcing human rights law and the protection it offers to victims of human rights violations. Chairs also considered it important to increase the visibility of the treaty bodies and raise awareness among individual rights-holders regarding the work of the treaty bodies. Several Chairs also emphasized the importance of civil society involvement in the work of the treaty bodies and the need to pay greater attention to civil society concerns about the functioning of the treaty bodies. In that regard, treaty bodies had a responsibility to work together as a system, rather than in isolation from one another. Several Chairs emphasized that the Chairs of treaty bodies play a key role in fostering more coordination and that it by no means called into question the independence of each treaty body.

## B. Update on the guidelines on the independence and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines)

16. At their twenty-fourth annual meeting in June 2012, the Chairs endorsed the guidelines on the independence and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines) (A/67/222 and Corr.1, annex I) and strongly recommended that they be promptly adopted by their respective treaty bodies. Several Chairs recalled how the Chairs' proactive approach to the topic had positively influenced the outcome of the treaty body strengthening process and led to the recognition of the Addis Ababa guidelines by the General Assembly in resolution 68/268.

17. The Chair of the twenty-seventh meeting recalled that, in that resolution, the General Assembly had encouraged the treaty bodies to implement the Addis Ababa guidelines in accordance with their mandates and invited the Chairs to keep States parties updated on their implementation. Also, the progress report of the Secretary-General mandated in resolution 68/268 would include information on the adoption and implementation of the Addis Ababa guidelines by the treaty bodies. The Chair of the meeting therefore underscored the importance of comparing experiences and taking stock of the operationalization of the Addis Ababa guidelines. All treaty bodies were requested by OHCHR to submit a report on actions taken to adopt and operationalize the Addis Ababa guidelines, for inclusion in the progress report of the Secretary-General to be submitted to the Assembly in 2016.

18. The Chairs shared the experiences of the respective treaty bodies in implementing the Addis Ababa guidelines, which showed that practices diverged considerably, in particular those practices relating to the participation of treaty body members in the constructive dialogue, the adoption of concluding observations and the deliberations on individual communications pertaining to their country of nationality or residence.

19. There was broad agreement among the Chairs that the Addis Ababa guidelines greatly improved the effective functioning of treaty bodies. Several Chairs stressed the importance of avoiding even the appearance of treaty body members not acting

in full independence and impartiality. They considered the principle of non-participation of nationals in the review of their own country or countries of nationality or residence a good practice in order to dispel any appearance of treaty bodies not acting independently and impartially, and stressed the importance of applying the principle consistently.

20. Several Chairs also pointed to the ultimate responsibility of States parties in ensuring the independence and impartiality of treaty body members at the level of treaty body members' nomination and election by States parties.

## C. Consultation process for the elaboration of treaty body general comments

21. The meeting had before it the note by the Secretariat on the consultation process for the elaboration of treaty body general comments (HRI/MC/2015/4). Specific reference was made by the Chair of the meeting to the comparative analysis of existing practices as well as the suggested elements, for consideration by the Chairs, for a common methodology for the consultation process.

22. The General Assembly, in its resolution 68/268, paragraph 14, encouraged the treaty bodies to develop an aligned consultation process for the elaboration of general comments, and the Chairs, at their twenty-sixth meeting, had decided to include that item in the agenda of the twenty-seventh meeting. The item was considered by the Chairs on 24 and 26 June 2015.

23. The Chairs acknowledged that consultation was indispensable for the transparency, legitimacy and publicity of general comments. The importance of posting draft general comments on the OHCHR website and of consulting States parties, other treaty bodies, relevant special procedures, United Nations agencies and other stakeholders was emphasized. The Chairs agreed that, while comments received should be taken into account, the final responsibility for the content of general comments rested with the treaty body.

24. Several Chairs also recalled that, without losing legal precision, general comments should be user-friendly, concise and precise. Concern was also expressed over the capacity of OHCHR to support the drafting and consultation processes for up to four general comments at the same time in some treaty bodies. A brief, inconclusive discussion also took place on the possibility of harmonizing the use of the term "general comments", as two committees continue to use the term "general recommendations".

25. The Chairs endorsed a common methodology for consultation, which is reflected in the decisions and recommendations of the present report, and recommended it for generalization among all treaty bodies in the preparation of general comments.

## D. Reporting compliance by States parties

26. The meeting had before it the note by the Secretariat on timely, late and non-reporting by States parties to the human rights treaty bodies (HRI/MC/2015/5).

27. At their twenty-fifth meeting, the Chairs had expressed concern about delays and the non-submission of a number of States party reports to treaty bodies, and decided to include the topic as a standing item on the agenda of the annual meeting of Chairs.

28. It was noted that the issue of late reporting and non-reporting by States parties gravely undermined the effectiveness of the treaty body system. In that regard, several Chairs reported on the practice of their treaty bodies of examining States parties in the absence of a report, in instances in which reports were long overdue. They agreed that the experience of introducing the practice was very positive. Upon being notified that they would be examined even without report, a number of States parties had requested an extension of the deadline and submitted a report. The States that failed to do that would usually send a delegation to participate in the constructive dialogue. Instances in which States parties had been reviewed entirely in absentia had therefore occurred only very rarely or, for some treaty bodies, not at all.

29. The Chairs welcomed the reflection of States parties' compliance with reporting obligations on the OHCHR website (see http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/LateReporting.aspx) and requested OHCHR to continue to update that information. They further decided to hold an in-depth discussion on reporting compliance by States parties at their next meeting.

## E. Briefing on the treaty body capacity-building programme of the Office of the United Nations High Commissioner for Human Rights

30. As requested during the twenty-sixth meeting of Chairs, the Chief of the Capacity-Building and Harmonization Section of OHCHR briefed the meeting on the capacity-building programme established pursuant to General Assembly resolution 68/268, paragraphs 17 to 20.

31. The programme was launched in January 2015 with the following components:

(a) Direct assistance to States requesting assistance with the establishment or strengthening of national mechanisms for reporting and follow-up;

(b) The deployment of capacity-building officers in OHCHR regional offices to reinforce existing efforts to develop State capacity to prepare reports to treaty bodies;

(c) Subregional training-of-trainers for State officials, so as to ensure the broadest possible impact of capacity-building measures;

(d) The development of a roster of trainers;

(e) The development of training and information tools on engagement with treaty bodies and the upkeep of the Universal Human Rights Index and the database of treaty body documents.

32. While seeking to provide universal coverage, the programme would prioritize States parties with a record of non-reporting or late reporting, as well as States parties that planned to establish or enhance national standing mechanisms for reporting and follow-up.

33. The Chairs expressed appreciation for the update on the treaty body capacity-building programme of OHCHR. The Chair of the Subcommittee on Prevention of Torture relayed the wish of Subcommittee members that their treaty body's specific capacity-building responsibility under the Optional Protocol to the Convention against Torture, namely to advise and assist national preventive mechanisms, would also be covered by the capacity-building programme.

## F. Reprisals

34. At their twenty-sixth meeting, the Chairs decided to develop and to adopt, at their twenty-seventh meeting, a joint treaty body policy against reprisals (see A/69/285, paragraph 111). The meeting had before it the note by the Secretariat on reprisals in the context of United Nations human rights mechanisms (HRI/MC/2015/3). In addition, the Chairs considered the draft guidelines on reprisals prepared at their request.

35. It was on the basis of that request and the guidance provided during the informal meeting of the Chairs in January 2015 in the United Kingdom that the draft guidelines on reprisals had been prepared and provided to the Chairs seven weeks in advance, to allow time for intersessional consultations in all treaty bodies. The Chair of the meeting recalled that reprisals were a major challenge for the treaty body system as a whole and that the Chairs had advocated for the issue of reprisals to be included in General Assembly resolution 68/268. The next step for the Chairs was to translate that condemnation of reprisals into operational practice by endorsing the San José guidelines and encouraging each treaty body to adopt them.

36. Each Chair gave an overview of the discussions in her or his respective committee on the topic, and most Chairs were also in a position to convey comments on the draft guidelines. During the subsequent discussion, several Chairs noted that the obligation State parties assumed in order to cooperate with treaty bodies precluded them from engaging in intimidation or reprisals against persons seeking to cooperate, cooperating or having cooperated with the treaty bodies. Some human rights instruments explicitly recognized that obligation.[1] There was also widespread recognition that treaty bodies had a moral, if not a legal, responsibility to address that concern and that a failure to do so could deprive treaty bodies of the cooperation of victims and civil society interlocutors.

37. Several Chairs recounted examples of reprisals against people who had cooperated with treaty bodies and other United Nations human rights mechanisms, including extrajudicial killings, torture and incommunicado arbitrary detention. The Chairs agreed that reprisals could take many forms. For instance, human rights defenders could be publicly branded as traitors by senior officials or have harmful aspersions cast on them in other ways. Intimidating people to prevent them from engaging with the treaty bodies in the first place was also a real concern. Moreover,

[1] Including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention against Torture; the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

it was noted that the nature of reprisals could evolve over time and differ between treaty bodies given the various types of stakeholders cooperating with them. That made it very difficult, several Chairs felt, to establish definitions of intimidation and reprisals that comprehensively anticipated all relevant concerns that could arise.

38. Several Chairs also noted that threats could not only emanate from States parties but also from non-state actors. One chair referred to the example of detainees being intimidated by fellow detainees. Another mentioned the private sector as a potential source of reprisals and intimidation. The Chairs underscored that States also have a duty to protect those who face threats from non-state actors with due diligence.

39. It was noted that most treaty bodies had already started to put in place measures to address intimidation and reprisals. With the exception of the Committee on the Elimination of Discrimination against Women and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, all treaty bodies had appointed one or more rapporteurs or a focal point on reprisals.

40. It was noted that action by treaty bodies should comprise both prevention and follow-up when intimidation and reprisals occurred. Noting also feedback received from national human rights institutions and civil society organizations, several Chairs recognized that intimidation and reprisals required an immediate response from the body concerned, in addition to coordinated action with other human rights mechanisms.

41. The Chairs unanimously endorsed the guidelines against intimidation and reprisals (San José guidelines),[2] and recommended their adoption by all treaty bodies. They also reaffirmed their previous decision to maintain intimidation and reprisals as a standing item on the agenda of their annual meeting.

### G. Post-2015 development agenda

42. Under the agenda item, the Chairs adopted a joint statement on human rights and the post-2015 development agenda (see annex I), which they requested OHCHR to disseminate to intergovernmental forums and relevant stakeholders.

## IV. Human rights panel

43. On 23 June 2015, the Chairs participated in a human rights panel organized by the Inter-American Institute for Human Rights. The first segment, on the relationship between the Inter-American and United Nations human rights systems, was moderated by Elizabeth Odio Benito, judge-elect of the Inter-American Court of Human Rights. In his presentation, Mr. Salvioli, Chair of the Human Rights Committee, called for greater cooperation between the Inter-American organs and international human rights treaty bodies, notably with regard to the harmonization of jurisprudence. James Cavallaro, Commissioner of the Inter-American Commission on Human Rights, focused on new thematic work and methodological approaches of the Inter-American Commission of Human Rights. He underscored the positive outcomes of on-site visits and the amicable settlement of cases. He

[2] HRI/MC/2015/6, English only.

informed the panel that, in its legal determinations, the Inter-American Commission frequently drew on the work of the international human rights mechanisms and in particular the work of the treaty bodies. María Soledad Cisternas Reyes, Chair of the Committee on the Rights of Persons with Disabilities, spoke about the role of public policies and legislation in the implementation of human rights treaties, focusing on temporary special measures for persons and groups facing discrimination.

44. Mr. Grossman, Chair of the Committee against Torture, underscored that cooperation between the Inter-American and international human rights systems was a necessity and maximized efficiency with limited resources, and stressed the complementarity of both systems. For instance, the treaty bodies could weigh in on concerns relating to larger public policies through the State party reporting procedure. Its individual communications procedure could also be faster than recourse to the Inter-American system. Humberto Sierra, President of the Inter-American Court of Human Rights, noted recent developments in the jurisprudence and methodology of the Inter-American Court and their potential relevance to other human rights bodies. He referred to the Court's work on the human rights of migrants and indigenous peoples and its use of on-site visits. The Inter-American Court was also engaging with constitutional courts in the region to give further impetus to a judicial "conventionality" review at the national level (i.e., an assessment of the compliance of national decisions or measures with the American Convention on Human Rights).

45. The second segment of the panel was dedicated to the topic of reprisals against human rights defenders and was chaired by Joseph Thompson, Executive Director of the Inter-American Institute for Human Rights. Mr. Evans, Chair of the Subcommittee on Prevention of Torture, noted the difficulty in identifying effective measures to respond to reprisals beyond public condemnation. Further thought needed to be given to how to address the culture of intimidation that existed in some countries, how to deal with threats emanating from non-state actors and how to protect groups facing particular risks.

46. Elizabeth Abi-Mershed, Deputy Executive Secretary of the Inter-American Commission of Human Rights, gave an overview of the precautionary measures that the Inter-American Commission and the Inter-American Court had put in place to prevent and respond to reprisals. She noted that many cases of reprisals and intimidation found by the Inter-American mechanisms were directed against social leaders, journalists and human rights defenders, including justice operators.

47. Viviana Krsticevic of the Center for Justice and International Law noted that human rights defenders face a diverse range of reprisals including murder, kidnapping, enforced disappearance, hacking of websites, expulsion from the country concerned and criminalization of their activities. She called on human rights mechanisms to respond swiftly to reprisals, through preventive measures, clear policies, the establishment of rapporteurs on reprisals, coordinated responses between different mechanisms and by generally providing human rights defenders with more visibility, for example through the webcasting of proceedings. International bodies should also ask States to diligently investigate reprisals by State and non-state actors. She called on the treaty bodies to take concrete action, otherwise human rights defenders would stop engaging with them.

48. Agnes Callamard of Columbia University placed the problem of reprisals against human rights defenders in the wider context of shrinking civic space and freedom of expression. Research undertaken showed an ongoing deterioration of freedom of expression as national security discourses dominated the national agenda in many countries. She observed that reprisals not only broke the bond of trust between people and the United Nations, but also severed the bond between States and the United Nations.

49. Montserrat Solano, Ombudswoman of Costa Rica, underscored that human rights defenders had to be able to file complaints against reprisals both at the national and international levels and that national human rights institutions had an important role in responding to reprisals at the national level. At times, she noted, national human rights institutions were themselves subject to reprisals and intimidation.

# V. Consultations in Costa Rica

## A. Consultations with national authorities and human rights structures

50. On 22 June 2015, the Chairs were received by President Luis Guillermo Solís of Costa Rica for an informal discussion. The President underlined the commitment of Costa Rica to fully cooperate with the treaty bodies and implement their recommendations. In the dialogue that followed, he encouraged the treaty bodies to swiftly implement General Assembly resolution 68/268 and expressed the country's support for a review of the state of the treaty body system and the effectiveness of all measures contained in the resolution in 2020, as mandated by the same resolution.

51. On 23 June 2015, the Chairs held a working meeting with Vice-President Ana Helena Chacón Echeverría of Costa Rica, members of the cabinet, parliamentarians, judges and members of the national mechanism for reporting to treaty bodies. State participants raised a number of issues, including discrimination against minorities, indigenous peoples and persons with disabilities; the rule of law; and the implementation of economic and social rights. Each Chair explained the working methods and priorities of her or his respective treaty body and gave examples of how States could make use of treaty bodies' work.

52. On 26 June 2015, the Chairs had a working meeting with a delegation of members of the Human Rights Commission of the Legislative Assembly of Costa Rica. They discussed issues emerging from recent treaty bodies dialogues with Costa Rica, and the Chairs appreciated being provided with information on the follow-up by Parliament to various recommendations. Matters discussed included the human rights situation of Afro-descendants, indigenous peoples, migrants, children and persons with disabilities; sexual and reproductive rights; human trafficking; and the national preventive mechanism against torture. Parliamentarians considered it important to institutionalize national structures to systematically follow up on treaty body recommendations.

## B. Consultations with the Inter-American human rights mechanisms

53. The Chairs held closed meetings with the Inter-American human rights mechanisms with a view to enhancing synergies between international and regional human rights mechanisms and institutions. In separate meetings, they met with the full bench of the Inter-American Court of Human Rights as well as with Commissioners and the secretariat of the Inter-American Commission on Human Rights.

54. The meetings covered, inter alia, the following topics: the value of exchanging good practices in the area of methods of work; sharing jurisprudence and analysis; maximizing the impact of the decisions and recommendations of both systems; identifying opportunities to work together on thematic areas such as women, children, migrants, persons with disabilities and persons deprived of their liberty, racial discrimination, enforced disappearances and reprisals; considering mutually inviting members of the organs and secretariats to each other's meetings; and using technological advancement to deepen relations between the two systems, such as videoconferencing. The treaty body Chairs expressed their satisfaction and recognition to the Court and the Commission for the fruitful dialogue as well as their commitment to deepening relations with regional bodies of the various regional human rights protection systems around the world.

55. The proposals formulated and submitted by the Chairs to the Inter-American Commission on Human Rights to enhance the cooperation between the international human rights treaty bodies with the Inter-American Commission on Human rights are contained in annex II of the present report.

## C. Dialogue with the diplomatic community in San José

56. On 22 June 2015, the Chairs met representatives of the diplomatic community at the Ministry of Foreign Affairs and Worship of Costa Rica. The Minister for Foreign Affairs and Worship of Costa Rica, Mr. González Sanz, highlighted that the dialogue between States and the international human rights treaty bodies was a strategic one that ought to be strengthened. As the international community commemorated the seventieth anniversary of the founding of the United Nations, it had a responsibility to discuss the future of the United Nations and its institutional framework in order to ensure that the Organization became increasingly relevant to the new challenges facing humanity. In that context, Costa Rica called to re-size and strengthen the human rights pillar of the United Nations. The vision of Costa Rica was to simultaneously enhance both the normative dimension and the institutional dimension of that third pillar: on the one hand, to strengthen the treaty body system and, on the other hand, to improve the working methods of the Human Rights Council and strengthen OHCHR. Likewise, the international community had to address the striking imbalance in the allocation of financial resources to the three pillars.

57. The Minister underlined that the objective of universal treaty ratification and reporting posed a challenge to the international human rights treaty bodies and that, paradoxically, non-compliance by States with their reporting obligations had saved the treaty body system from collapse. The Minister recognized the difficulties faced by the treaty bodies in meeting their increasing workload, despite the significant

efforts made to improve efficiency. To a large extent, the current situation was the result of the recognition by States parties of the importance and usefulness of the work of the treaty bodies. For that reason, strengthening the treaty body system was a constant task and a strategic need. In his statement, the Minister expressed the need to find solutions that addressed the challenges without weakening the human rights mechanisms.

58. The Minister further called upon the treaty body Chairs to align working methods and called upon the treaty bodies to harmonize jurisprudence so as to avoid duplications and contradictions that would complicate the work of governments in implementing treaty body output. Treaty body recommendations, he said, should also be stated in terms that considered the time horizon so that they could be translated into national planning processes and the development of public policies.

59. The Minister underlined that the task of strengthening the system was monumental, at a time when all parties were fully preoccupied with the implementation and follow-up to General Assembly resolution 68/268. He recalled that resolution 68/268 mandated a review of the state of the treaty body system to be undertaken no later than 2020. The 2020 review offered a unique opportunity to complete unfinished business and to make the system more sustainable at national and international levels, on the basis of the progress reports that would be prepared by the Secretary-General between now and then.

60. The Minister expressed the view that innovation, fresh ideas and innovative proposals were needed in the run-up to the 2020 review. He called upon academia to provide sober reflection, new approaches and innovative inputs to the review. They should consider all options for the reform of the treaty body system, including by analysing prior ideas that had not been pursued and adapting them to the new context. He called upon internationally renowned academic institutions from all regions of the world to join efforts to develop a reflection process that would feed into the work of decision-makers and would allow them to expand their horizons in the lead-up to the 2020 review. The goal of the "San José" process should be to revamp the treaty body system as one of the greatest achievements of the international community for harmonious coexistence and peacebuilding, as well as to strengthen the human rights pillar of the United Nations.

61. Representatives of Argentina, Chile, China, Colombia, Ecuador, Mexico, Panama, Paraguay, Switzerland, the Russian Federation and the Bolivarian Republic of Venezuela also took the floor.

62. Several State representatives urged the treaty bodies to follow up on General Assembly resolution 268/68, which had been adopted by consensus and called for greater harmonization, transparency and simplification in the working methods of the treaty bodies and for better cooperation between the international and regional human rights mechanisms. Some speakers warned that treaty bodies should not create new legal obligations through general comments or follow-up procedures.

63. Several speakers also urged treaty bodies to issue shorter, more pertinent, realistic and precise recommendations that related to their respective treaties and that built on previous concluding observations. They also emphasized that the dialogue between States parties and treaty bodies should be more interactive. Several speakers also stressed the need for better coordination among treaty bodies

to avoid duplication and sometimes contradictory recommendations on the same subject.

64. One State representative, highlighting the reporting challenge for national administrations, called for the creation of a comprehensive reporting calendar. Some States representatives also highlighted the need for the United Nations system as a whole to better support States in the implementation of treaty body recommendations.

65. Several States parties provided information on the national reporting and follow-up mechanism their countries had put in place. In response to those presentations, the Chairs considered that national reporting and follow-up mechanisms were a good practice that other States parties should also introduce.

66. The Chairs expressed their commitment and that of the treaty bodies to following up on General Assembly resolution 68/268. They reminded States that the election and selection of independent and impartial experts was a fundamental prerequisite for the effective functioning of the international human rights treaty bodies.

## D. Consultation with national human rights institutions

67. On 24 June, the Chairs met with representatives of the national human rights institutions of Costa Rica, El Salvador, Honduras, Nicaragua and Panama. The Ombudswoman of Costa Rica delivered a statement on behalf of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, representing a global association of more than 100 national human rights institutions. In her statement, she conveyed the recommendation that the treaty bodies develop a coherent and harmonized approach for the engagement of national human rights institutions with the treaty body system in order to ensure their effective participation and build on good practices developed.

68. The Coordinating Committee representative further recommended that the treaty bodies develop a common approach to address and respond to the issue of reprisals, noting that it was concerned by reported acts of reprisals or acts of intimidation against people cooperating with the international human rights mechanisms, including members and staff of national human rights institutions. One representative noted in that respect that reprisals could take subtle forms, such as budget cuts for national human rights institutions or their exclusion from key discussions.

69. The Coordinating Committee representative also focused on the new global agenda for sustainable development, which, once agreed upon by Member States, could greatly enhance the protection and enjoyment of human rights. The Coordinating Committee representative encouraged the treaty bodies to include the achievement of relevant sustainable development goals and targets as a routine component of the State party review. National human rights institutions stood ready to work with multilateral and national agencies to develop and apply global and national indicators to measure progress and provide the treaty bodies with that information.

70. A statement was also delivered by the National Commissioner for Human Rights of Honduras on behalf of the Central American Council of national human

rights institutions. In his statement, he emphasized that, for the national human rights institutions of the subregion, the right to development should be at the heart of the post-2015 development agenda. A representative of each of the national human rights institutions then briefed the treaty body Chairs on priorities and major campaigns for the protection and promotion of human rights.

71. In the ensuing discussion with the Chairs, the following issues were addressed: the *locus standi* (commonly translated as the right to bring an action) before the treaty bodies when there was more than one national human rights institution in a country, particularly in federal States, or the status of specialized bodies not recognized as national human rights institutions under the Paris Principles; the role of national human rights institutions in advocating for the acceptance by States of individual complaint procedures; the possibility of national human rights institutions submitting cases to the treaty bodies; the possibility of national human rights institutions hosting civil society and the broader public for the webcast of treaty bodies' constructive dialogues with the State party; and the role of national human rights institutions in disseminating concluding observations and decisions.

## E. Consultation with civil society organizations

72. The Chairs met with civil society organizations to explore ways and means of strengthening their engagement with the treaty bodies in the course of the State party review, and to discuss the role of civil society in following up at the national level on recommendations and decisions emanating from the international human rights treaty bodies.

73. On 25 June 2015, the Chairs held a meeting with more than 80 civil society representatives from Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua and Panama.[3] Substantive concerns focused on the situation of detainees and conditions of detention, violence and discrimination against women and girls, including in relation to sexual and reproductive rights, enforced disappearances, extreme poverty, the rights of indigenous peoples and persons with disabilities and the deterioration of the general human rights situation in some countries. Several organizations requested that the treaty bodies speak out on the gravity of the human rights situation in the region.

74. Attacks against human rights defenders were identified as a major concern. In that regard, the treaty bodies were urged to take strong measures against intimidation of and reprisals against human rights defenders and those cooperating with them.

75. Some organizations expressed concern about the unwillingness of States parties to present reports to the treaty bodies, in violation of their treaty obligations. Several organizations also expressed concern over the attempts by some States to discredit the work of international human rights mechanisms and to pit treaty bodies and special procedures against one another.

76. Treaty bodies were urged to cooperate more to render the system more accessible to civil society actors.

[3] Statements made by civil society organizations are available from ohchr.org/EN/HRBodies/AnnualMeeting/Pages/MeetingChairpersons.aspx.

77. The Chairs welcomed the indispensable contribution of civil society organizations to the work of the treaty bodies, whether through submissions, inputs, hearings or briefings. They called upon civil society organizations to continue to participate in State party reviews as well as in the follow-up to recommendations emanating from the treaty bodies. It was important that civil society organizations clearly identify violations and questions that they considered most relevant for the constructive dialogue with the State party.

78. The Chairs also welcomed the various submissions by civil society organizations to the twenty-seventh meeting of Chairs, including a detailed submission prepared by 32 international and national non-governmental organizations that regularly contribute to the work of treaty bodies.[3] The organizations expressed regret that treaty bodies often failed to take into account and reference work by other treaty bodies and special procedures of the Human Rights Council. Furthermore, they called on treaty bodies to, inter alia, harmonize their follow-up procedures to concluding observations, introduce a common approach for outreach and dissemination of their concluding observations and embrace technological innovations to facilitate State party reporting and civil society participation. They also called upon treaty bodies to more systematically recommend to States parties that they establish a standing national reporting and follow-up mechanism.

### F. Briefing on the global campaign for gender parity in international representation (GQUAL)

79. On 23 June 2015, the Center for Justice and International Law briefed the Chairs on a global campaign, called GQUAL, to be launched in September 2015, which aims to raise awareness about the underrepresentation of women in international bodies and calls for gender parity. The campaign is coordinated by organizations working on human rights, humanitarian law, trade and arbitration and international relations. It advocates for change in the way States nominate and elect members of international bodies. In that context, the support of the Chairs was sought for a declaration that would call for, inter alia, the establishment of guidelines and mechanisms at national and international levels that guarantee gender parity in positions involving international responsibility, including international tribunals, human rights bodies, special procedures and regional and international organizations. The Chairs requested that information regarding the campaign be made available to all treaty body members.

## VI. Other matters

80. The Chairs considered it useful to have an informal meeting or other form of consultation in the course of the year, prior to the next annual meeting, to advance work on matters of concern to all treaty bodies, compare notes on the implementation of General Assembly resolution 68/268 and share good practices.

# VII. Decisions and recommendations

## A. General

81. The Chairs expressed their utmost gratitude to the Inter-American Institute for Human Rights and the Government of Costa Rica for their hospitality in hosting the twenty-seventh meeting of Chairs. The Chairs also expressed their sincere appreciation for the dialogue that took place at the national level with the President, the Vice-President, the Minister for Foreign Affairs and Worship, government officials, parliamentarians, the ombudswoman and civil society organizations of Costa Rica. The Chairs further thanked the Government for organizing the dialogue with the diplomatic community in San José.

82. The Chairs welcomed the call made by the Minister for Foreign Affairs and Worship of Costa Rica upon academic institutions from all over the world to reflect on innovative options to further strengthen treaty bodies. All such contributions could only widen the scope of options and deepen understanding by States of the best possible ways forward for consideration by the General Assembly of, as stated in paragraph 41 of resolution 68/268, "the state of the human rights treaty body system no later than six years from the date of adoption of the present resolution to review the effectiveness of the measures taken in order to ensure their sustainability, and, if appropriate, to decide on further action to strengthen and enhance the effective functioning of the human rights treaty body system".

83. The Chairs warmly welcomed the opportunity to meet with representatives of the Inter-American Commission of Human Rights and of the Inter-American Court on Human Rights with a view to deepening cooperation between the international and the regional protection systems for the benefit of rights-holders and contributing towards coherence in international human rights law. The Chairs encouraged individual treaty bodies to intensify cooperation with the Inter-American and other regional human rights systems, including by exploring joint statements, participation in public hearings, joint thematic reports, participation in each other's meetings, support for the ratification of each side's respective treaties and other legal instruments, the systematic exchange of documentation and information and jurisprudential dialogue.

## B. Role of the Chairs in the harmonization of working methods and follow-up to General Assembly resolution 68/268

84. The Chairs reiterated the commitment of the treaty bodies to continue to develop as a system by reviewing good practices in the areas of working methods and rules of procedure.

85. The Chairs also reiterated their support for General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the treaty body system. The Chairs recalled that effective follow-up to that resolution depended on a constructive partnership among all stakeholders, working towards that common goal. In that spirit, the Chairs reiterated their

commitment to fully considering the contents of the resolution both together and within their respective treaty bodies.

86. In that context, the Chairs recalled the encouragement by the General Assembly to the treaty bodies to continue to enhance the role of the Chairs in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods, generalizing good practices and methodologies among all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.

87. Recalling the mandate of the annual meeting of Chairs, the Chairs called on all treaty bodies to facilitate the harmonization of the working methods of the treaty bodies, for the benefit of rights-holders as well as duty-bearers. In that regard, Chairs expressed support for the call made by national human rights institutions to harmonize treaty bodies' modalities of engaging with such institutions, with a view to facilitating their participation, including by those national human rights institutions that are not able to send representatives to attend treaty body sessions.

88. The Chairs recalled the decision taken at previous Chairs' meetings that the Chairs should adopt measures on working methods and procedural matters that were common across the treaty body system, and that such measures should be implemented by all treaty bodies unless a treaty body subsequently dissociated itself from them.

1. Implementation of the guidelines on the independence and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines)

89. The Chairs reiterated the recommendation that States parties to human rights treaties should refrain from nominating or electing persons to the treaty bodies whose independence and impartiality is compromised by the political nature of their affiliation with the executive branch of the State. Members of treaty bodies should consequently avoid functions or activities which are, or are seen by a reasonable observer to be, incompatible with the obligations and responsibilities of independent experts under the relevant treaties. Encouraging further harmonization, the Chairs highlighted the measures put in place by different treaty bodies to ensure that all members continue to carry out their functions independently and impartially, and are also seen to do so.

2. Consultation process in the elaboration of general comments

90. General comments are an important legal tool for the effective and coherent implementation of the purpose and objectives of the international human rights treaties.

91. On the basis of existing practices and with a view to developing an aligned consultation process for the elaboration of general comments, ensuring coherence across the treaty bodies and standardizing working methods, the Chairs endorsed the following elements for the elaboration of and consultations on general comments and recommended their generalization among all treaty bodies that issue general comments:

(a) A general comment could be adopted by one treaty body or more, jointly;

(b) The decision to draft a general comment would be made in plenary;

(c) A note describing the consultation process for general comments would be shared with States parties and made publicly available for other stakeholders (national human rights institutions, civil society, academia, international organizations);

(d) Each time a treaty body initiated the drafting of a general comment, a working group composed of treaty body members or a rapporteur would be appointed and entrusted with the process of drafting the general comment;

(e) Advance versions of draft general comments would be shared with other treaty bodies and relevant special procedures mandate-holders for input, comments or feedback, with a view to strengthening the coherence of treaty law interpretation;

(f) Advance versions of draft general comments would be posted on the OHCHR website to make them accessible to States parties and a broad range of stakeholders;

(g) Input, comments or feedback received from States parties, special procedures, national human rights institutions, civil society organizations and other stakeholders would be given due consideration by the treaty body, as appropriate;

(h) The treaty body would lead the consultation process and decide on the contents and adoption of the general comment.

### 3. Ratification and reporting compliance by States

92. The Chairs called for the universal ratification by States of international and regional human rights treaties. The Chairs also encouraged all treaty bodies, within their respective mandates, to mark the twenty-fifth anniversary of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the fiftieth anniversary of the International Convention on the Elimination of All Forms of Racial Discrimination, with the aim to accelerate their universal ratification.

93. The Chairs welcomed the information included in the document on timely, late and non-reporting by States to the human rights treaty bodies. They also requested OHCHR to continue to make updated information on reporting compliance by States available on its website.

94. The Chairs reaffirmed the decision taken at previous meetings to include late and non-reporting by States parties as a standing item on the agenda of the annual meeting of the Chairs. In that regard, they appreciated the exchange of good practices held.

### 4. Intimidation and reprisals

95. The Chairs strongly condemned intimidation and reprisals against individuals or groups who engage or seek to engage with the treaty bodies. The Chairs also welcomed the strong condemnation by the General Assembly, in paragraph 8 of its resolution 68/268, of all acts of intimidation and reprisals towards individuals and groups for their contribution to the work of the treaty

bodies, and supported the call upon States by the Assembly to take all appropriate action to prevent and eliminate such human rights violations.

96. The Chairs reiterated their invitation to treaty bodies that had not yet done so to establish a rapporteur or focal point on intimidation and reprisals.

97. In order to strengthen the treaty body system's response to intimidation and reprisals against individuals or groups cooperating with the treaty bodies, the Chairs reviewed, in the light of comments provided by treaty body members, the draft guidelines on reprisals. They endorsed the guidelines against intimidation and reprisals (San José guidelines) and recommended them to their respective treaty bodies for adoption.

98. The Chairs further reaffirmed their decision, first made at their twenty-sixth meeting, to include reprisals as a standing item on the agenda of the annual meeting of the Chairs.

99. The Chairs noted the significance of the adoption of the guidelines taking place on 26 June, the International Day in Support of Victims of Torture.

### 5. Gender

100. The Chairs decided to pay special attention to gender representation and gender sensitivity in the organization of future Chairs' meetings. In that context, the Chairs recommended that information on the GQUAL campaign on gender parity in international bodies be shared with all treaty body members.

## C. Future meetings of the Chairs of the treaty bodies

101. The Chairs reiterated their previous recommendation that the Chairs' meetings take place in New York in the years in which the biennial progress report of the Secretary-General on the implementation of General Assembly resolution 68/268 is presented, in order to maintain the dialogue with States and other stakeholders represented in New York, subject to available resources and at a time to be confirmed.

102. The Chairs decided to include the following items on the agenda of their twenty-eighth annual meeting:

(a) Follow-up by treaty bodies to General Assembly resolution 68/268;

(b) Report of the Secretary-General on progress under General Assembly resolution 68/268;

(c) Guidelines on common core documents;

(d) Reporting on compliance by States with the treaty bodies;

(e) Reporting on the implementation of the Addis Ababa guidelines;

(f) Reporting on reprisals against persons and groups cooperating with the treaty bodies and follow-up to the San José guidelines;

(g) Any other business.

103. **The Chairs recommended the holding of an informal meeting or other consultation prior to their twenty-eighth meeting to review and, if necessary, supplement the agenda.**

104. **The Chairs decided that, in accordance with the principle of rotation, the Chair of the twenty-eighth meeting of the Chairs, in 2016, will be the Chair of the Human Rights Committee and the Vice-Chair will be the Chair of the Committee on Economic, Social and Cultural Rights.**

# Annex I

## Joint statement of the treaty body Chairpersons on human rights and the post-2015 development agenda, 26 June 2015

The twenty-seventh meeting of Chairpersons of human rights treaty bodies, held in San José from 22 to 26 June 2015, welcomes the release of the draft of the outcome document for the United Nations summit to adopt the post-2015 development agenda.

Having previously underlined the importance of a strong universal, rights-based and participatory mechanism for follow-up, the Chairpersons welcome the commitment in the draft to a robust, effective, inclusive and transparent review framework for the implementation of the goals and accountability by States to rights-holders.

The human rights treaty bodies enjoy the legal authority to gather, receive and review information on a wide range of human rights issues in States parties. This information, which includes data from States and other stakeholders, will be an invaluable contribution to ensure reliable and validated means of measuring progress in meeting development goals for all population groups.

In defining the contours of this framework, the Chairpersons urge Member States to ensure that information gathered and acted upon by the human rights mechanisms, and in particular the human rights treaty bodies, is systematically included in the follow-up and review system of the sustainable development goals, including through the High-level Political Forum on Sustainable Development and through interaction with the proposed multi-stakeholder forums.

It is critical that the mainstreaming of human rights in the post-2015 development agenda is captured fully in the outcome of the third International Conference on Financing for Development, to be held from 13 to 16 July 2015 in Addis Ababa, in order to foster policy coherence and to ensure equitable and inclusive development that benefits all persons without discrimination.

The Chairpersons further emphasize the need for the indicators that are being developed to be based on the human rights obligations of States, including the right to development.

Finally, the Chairpersons underline the synergy between human rights, sustainable development and the environment. They recall the social responsibility of all stakeholders, including non-state actors, in this broad agenda. In this context, they look forward to the mobilization of the international community to build a strong consensus around three milestones: Addis Ababa, for financing for development; New York, for the summit to adopt the sustainable development goals; and Paris, for the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change.

Committee on Economic, Social and Cultural Rights

Committee on the Rights of Persons with Disabilities

Committee on the Elimination of Discrimination against Women

Committee on the Elimination of Racial Discrimination

Committee on Migrant Workers and Members of Their Families

Committee on the Rights of the Child

Human Rights Committee

Committee on Enforced Disappearances

Committee against Torture

Subcommittee on Prevention of Torture

# Annex II

## Proposals by the Chairpersons of the human rights treaty bodies to the Inter-American Commission on Human Rights

Having met with representatives of the Inter-American Commission on Human Rights in San José on 24 June 2015, the Chairpersons highlighted the need to recognize the complementarity between the international human rights treaty body system and the Inter-American human rights mechanisms in the protection and promotion of human rights standards, especially with regard to implementation at the national level.

The Chairpersons proposed the following recommendations to enhance the cooperation between the two systems:

1. Establish bilateral contacts between United Nations treaty bodies and the Inter-American Commission by appointing a focal point in every treaty body to engage with the regional system in order to facilitate the exchange of information and communication, including confidential exchanges of information on specific cases, and to exchange good practices on working methods, using technological tools to deepen cooperation.

2. Explore thematic areas for cooperation, such as women's rights, child rights, migrants, persons with disabilities, persons deprived of their liberty, racial discrimination, disappearances and reprisals.

3. Mutually promote the ratification of international and regional human rights treaties and optional protocols, as well as timely reporting by States parties to treaty bodies.

*Progressive development of international law*

4. Invite treaty bodies, as appropriate, to thematic hearings of the Commission to foster cross-fertilization of the development of international law. The Commission will inform relevant treaty bodies.

5. Recommend to treaty bodies that they consult the Commission in treaty body processes for the elaboration of general comments.

*Individual complaint mechanisms*

6. Continue the cooperation between the international human rights treaty bodies and the Commission in relation to the individual complaint mechanisms, including on issues related to jurisprudence, procedures, methods of work and the implementation of their respective decisions.

7. Mutually consider and reference respective international and Inter-American jurisprudence with a view to avoiding the fragmentation of international human rights law and maximizing the impact of decisions and recommendations.

*Treaty body reporting procedure*

8. Invite the Commission to submit written contributions to the treaty bodies for lists of issues (prior to reporting) and concluding observations (which can be kept for internal use only upon request).

9. Extend a standing invitation from the treaty bodies to the Commission and its secretariat to participate in treaty body sessions to increase the exchange of information and dialogue between the treaty bodies and the Commission (through in-person attendance or videoconference).

10. Invite the Commission to brief treaty bodies ahead of State party reviews.

11. Use recommendations issued by the respective mechanisms as a working tool. Explore the enhanced use of each other's instruments, policies and actions, and their implementation, when reviewing the reports of States from the region. This may include referencing each other's recommendations in concluding observations and other output whenever relevant.

*Country visits*

12. Encourage the Commission to provide relevant information to the treaty bodies for country visits by treaty bodies to the Americas region, including information on the human rights situation, lists of possible places to visit, discussion on strategies for visits and recommendations previously issued for possible follow-up.

*Advocacy*

13. Issue joint letters or statements by treaty bodies together with the Commission expressing concern over issues of relevance to more than one country or subregion, as appropriate, and, in this context, pay special attention to the serious matter of intimidation and reprisals against individuals or groups cooperating with both systems.

*National human rights institutions and civil society*

14. Promote the role of national human rights institutions and civil society to actively participate in the work of the international and regional systems and in the protection against reprisals for people or groups cooperating with international and regional human mechanisms.

15. Encourage strategic litigation before both human rights systems.

16. Encourage national human rights institutions and civil society to enhance their active role in monitoring the implementation of the outputs of the international treaty bodies, the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights.